

## RIGHT TO SEPARATE RACES ON TRAINS

Commission Holds That White and Colored Cars Should Be Provided.

## BUT GIVE EQUAL SERVICE

Georgia Edwards Case Fails to Open Way for Mixing of Passengers.

[Special to The Times-Dispatch.]

WASHINGTON, D. C., July 8.—The Interstate Commerce Commission today rendered its decision in the case of Georgia Edwards, a Nashville, Tenn., woman, who has been fighting the right of interstate carriers to discriminate between negroes and whites in the facilities furnished to both races.

Immediately after the taking effect of the Hepburn act the complainant, a colored woman, purchased a ticket entitling her to first-class passage from Chattanooga, Tenn., to Dalton, Ga. She entered the car assigned to the use of white passengers, and was removed therefrom to the car assigned to colored people. She filed complaint, alleging discrimination in the facilities furnished to her as against those provided for white passengers.

The opinion of the commission is rendered by Commissioner Frank K. Lane, who holds that where a railroad provides certain accommodations for first-class passengers of the white race it is commanded by the law that like accommodations shall be provided for colored passengers of the same class. The following statement of facts precedes the conclusion of the opinion:

**A Statement of Facts.**  
"The train in question was defendant's No. 93, which leaves Chattanooga at 6:26 A. M. and arrives in Dalton at 7:28 A. M. The distance from Chattanooga to Dalton is thirty-eight miles. This train started from Nashville, 151 miles northwest of Chattanooga, and before it left Nashville all the cars in the train were thoroughly cleaned inside. They were again cleaned to some extent at Chattanooga. Both at Nashville and at Chattanooga the cleaning process applied equally to both the passenger coaches in the train.

"These two cars are of the same quality, having seats of the same size, upholstered in a like manner, and with exactly the same quality of goods. One of them is used by white passengers, and is provided with towels and washbasins, while the other is without such conveniences. The latter is constructed as follows: A partition placed in the middle of the car divides it into two compartments, and entrance from one to the other is through a swinging door which, after being opened, closes automatically. Negro passengers are required to occupy one of these compartments, while the other is occupied by other passengers who wish to smoke.

"In one end of the other passenger coach there is a compartment for smokers, which will seat seven persons, but defendant does not provide any separate smoking compartment for negroes. It is also true that while only one toilet is provided in the negro compartment, the car which is entirely used by other passengers has two, marked in such a way as to indicate that one is to be used by men and the other by women; but such restriction is only partially enforced. The principal reason for providing two toilets in one case and only one in the other is that the number of passengers carried in the negro compartment is very much less than the number contemporaneously transported in the other. Defendant assigns to each of the negro passengers about one-sixth of the space in its passenger trains occupied by all passengers, while the number of negroes transported by defendant is only about one-fifth of the total.

### Equipment About the Same.

"When there are no women in the colored compartment, smoking there is allowed, but not otherwise. The only toilet is provided in the negro compartment, and no wash basin and only one toilet and no smoking compartment, and that smoking is allowed in such cars if there are no women present.

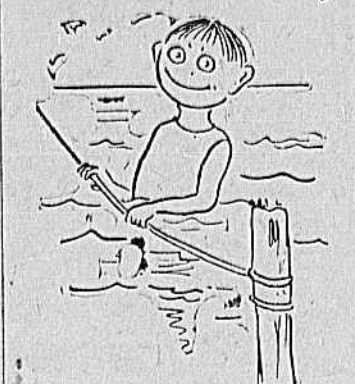
"On the whole, the cars among Atlantic passenger trains are among the best in the country, so far as equipment is concerned. The cars are manufactured by the Pullman Company, and provided with vestibules. The cost of the car allotted to negroes was in the neighborhood of \$3,100, while that of the other passenger coach in defendant's No. 93 train was about \$3,800. The expense of the small smoking compartment in the latter accounts for nearly all the difference in cost between the two cars."

Commissioner Lane holds that the broad question of the right under the thirteenth and fourteenth amendments of the Constitution to segregate white and colored passengers has been upheld by the Supreme Court of the United States. The opinion then continues:

### Separation Law Right.

"Accepting these decisions as conclusive upon the constitutionality of such laws, we turn to the consideration of the reasonableness of such a rule when imposed by the carrier, and this we find to have been passed upon by this commission in the case of Count v. Western and Atlantic Railroad

## Wise Talks by "The Office Boy"



Come on in; the water's fine. I heard a fellow say that the plainest bathing suit was much improved by putting a pretty girl inside of it. Guess a plain man is much improved by putting him in a pretty bathing suit or a pretty outfit. There's a lot of difference in bathing suits these days, because there's so much meretricious stuff on the market. A meretricious garment may look nice, but if the fabric was any good on the start, and it was properly shrunk and tailored, but you can't make a good suit out of a shoddy piece of cloth by simply mending it. The trouble is that most clothing men decline to pay enough for summer suits to ensure good results. They think anything will do for the short season, and summer profits are lean enough at best. But our summer business is good, because we make it good by pushing out good stuff and cutting down our profits. We are willing to take our summer profits in the form of a \$3.00 suit for \$1.50. Your choice of every Straw Hat in stock at one-half the original price come in for a bonnet for these hot days.



Company, which was decided December 3, 1887. Mr. Commissioner Morrison, speaking for the unanimous commission, therein said: "Public sentiment, however, the colored population is large, sanctions and requires this separation of races, and this was recognized by counsel representing both complainant and defendant at the hearing. We cannot, therefore, say that there is any undue prejudice or unfairness in the segregation of races, and in preference in recognizing and acting upon this general sentiment, provided it is done on fair and equal terms. This separation may be carried out on railroad trains without disadvantage to either race and with increased comfort to both."

"Again in Heard vs. Georgia Railroad Company, decided February 15, 1888, 1 I. C. C. 428, Mr. Commissioner Schoonmaker held for the commission that the separation of white and colored passengers, paying the same fare, is not unlawful if the accommodations equal in all respects and equal protection of passengers is observed.

### Give Them Equal Service.

"While, therefore, the reasonableness of such regulation as to interstate passenger traffic is established, it by no means follows that carriers may discriminate between white and colored passengers in the accommodations which they furnish to each. If a railroad provides certain facilities and accommodations for first-class passengers of the white race, it is commanded by the law that like accommodations shall be provided for colored passengers of the same class. The principle that must govern is that carriers must serve equally well all passengers, whether white or colored, paying the same fare. Failure to do this is discrimination, and subjects the passenger to undue and unreasonable prejudice and disadvantage."

### In this case it is manifest from the facts as stated that defendant has unduly and unjustly discriminated in some particulars against colored passengers, and it will be ordered therefore that where the defendant carrier provides a washbasin and toilet in the coaches devoted to the use of white passengers and a separate smoking compartment for such passengers also that similar accommodations shall be provided for colored passengers paying first-class fare."

### THE ALABAMA SENATORSHIP.

Legislature Reconciles To-Morrow. Bankhead Likely to Be Elected.

BIRMINGHAM, Ala., July 8.—The Legislature of Alabama, which will reconvene to-morrow, must elect a successor to the late Senator John H. Bankhead, and it is now generally believed that Colonel John H. Bankhead, former representative from the Sixth District, will be appointed by Governor Comer to serve as Senator until the Legislature met, will be elected practically without opposition. It is true that Colonel Bankhead has two opponents and may have more.

When the Democratic State Executive Committee adopted the primary plan last year that plan provided for the nomination of two alternate United States Senators, thereby anticipating the death of Senators Morgan and Bankhead, said alternate nominees to be appointed by the Governor to fill any vacancies that might arise between sessions of the Legislature. There were six candidates for these places, and Colonel Bankhead came in first, with a total vote of 45,362, while former Governor Joseph P. Johnston was second, with 36,107. Bankhead was thus nominated for the first vacancy and Johnston for the second.

### ST. LOUIS BANKERS INDICTED FOR FRAUD.

ST. LOUIS, July 8.—Seven indictments have been returned by the Federal grand jury against Edward G. Lewis, president of the People's United States Bank, and five other officers of the bank, charging them with defrauding the bank of \$100,000. The indictments were returned Saturday, but the fact was not made public until today. In one indictment Lewis is charged with defrauding the bank of \$100,000 by using the name of the bank to obtain loans from the Federal Reserve Bank. Another indictment is against Lewis, Frank J. Cabot and William M. Miller, charging conspiracy to defraud the bank of \$100,000 by using the name of the bank to obtain loans from the Federal Reserve Bank. All the defendants gave bond to-day.

### BURNS IS OFFERED A RETURN MATCH.

MELBOURNE, VICTORIA, July 8.—The boxer of "Bill" Baileys, the Australian pugilist, who was defeated in the first round of his fight with "Tommy" Burns at Colma, Cal., July 4th, has been to the United States offering to give Burns \$25,000 and the whole sale money win, lose or draw, for a return fight with Burns within a month.

### Pabst Brewing Co.,

Marshall & Hancock Sts., Richmond, Phone 386.

The Pabst Eight-Day Malting Process secures every particle of food from the barley grain, and the Pabst Perfect Brewing Process transmits all of it, in predigested form to

Drink Pabst Blue Ribbon because of its purity, its delicious flavor, its rich food values and its tonic properties, and because it is a genuine temperance beverage.

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## EXPOSITION NOW SPLENDID SHOW

Great Crowd Attends to See Exhibits and Every One Is Thoroughly Pleased.

## KING'S DAUGHTERS TO-DAY

National Organization Convenes. Richmond Lady Will Welcome Visitors.

[Special to The Times-Dispatch.]

JAMESTOWN EXPOSITION GROUNDS, July 8.—This day at the Jamestown Exposition was not known as a special day, but a good crowd attended the show to see it in its entirety, but the regular military drills and lectures with the usual number of classical musical entertainments, appeared on the program. These, taken with the Warpath attractions, the marionette States and other exhibit buildings, proved of ample interest to visitors. It is now quite observable that large numbers of people are visiting the exposition from afar, and it is an absolute fact that they think the show great—far better than many of them had been led to believe it. The sun of the day of the "knockout" show, and he who would "knock" in the future must "knock" in the dark to his own discredit, so declare those who now see the show.

### Stage Employees Meet.

The one convention adjunct to the exposition to-day was that of the International Alliance of Stage Employees. It was the fifteenth annual convention of the alliance, and the convention met in the Army Hall, Norfolk. One hundred and sixty delegates, representing all of the principal cities of the United States, are attending the convention.

The body was called to order by President John Suarez, of St. Louis. The convention was welcomed by Mayor Riddick, of Norfolk, and the response was made by President Suarez. The credentials committee was named as follows: E. H. McMillan, of Washington, D. C.; James H. Screws, of Montgomery, Ala.; Jans Eckert, of Cincinnati; Louis Miller, of Cleveland, and Charles Porter, of Omaha.

The International Alliance is a protective body, affiliated with the American Federation of Labor, and its members are employed in the theatrical stage employees of the country. This is the second time that the national body has met in Norfolk, its tenth annual convention five years ago having been held here.

## KING'S DAUGHTERS WILL MEET TO-DAY

Mrs. C. C. Burton, of Richmond, State Secretary, Will Be Hostess.

### JAMESTOWN EXPOSITION

GROUNDS, VA., July 8.—The program for the King's Daughters' celebration to-day at the exposition is full of interest. The International Order of the King's Daughters and Sons meets in its annual convention.

A meeting of the order will be held in the main hall of the Auditorium to-morrow morning, lasting from 10:30 until 1:30 in the afternoon, at which time an attractive program will be carried out. The members from the various States composing the Central Council of New York will be present. Mrs. Charles Reed, of West Virginia, will be the chairman of the day, and Mrs. C. C. Burton, of Richmond, Va., State Secretary of the Virginia Chapter, will act as hostess. Mrs. Burton will receive members of the order and others at the inside line. This chairman is the sister of Mrs. J. R. Gill and Captain Frank W. Cunningham, of Richmond.

In order that the members of the organization may have an opportunity to see something of the exposition, the members of the order will be present at a meeting to be held between the hours of 1:30 and 6:30. At that hour the Virginia branch will tender a reception in the Virginia Building.

The following is the program arranged for the day:

Organ Hymn, "All Hail the Power of Jesus Name."

Prayer.

Responsive Bible reading.

Hymn, "America."

Welcome to Virginia, by Mrs. C. C. Burton.

Solo (selection), by Miss Mary Bull.

Welcome to the Jamestown Exposition, by Hon. Harry St. George Tucker, president of the exposition, introduced by Hon. Barton Myers.

Responses from visiting members of the order.

Hymn, "Onward, Christian Soldiers."

Greetings from Mrs. Mary Lowe Dickinson.

Solo (selection), by Miss Mary Williams.

Address by Miss Sophie E. Wright.

Hymn, "Lead us We Go."

After a trip about the grounds and a visit to the King's Daughters rest rooms, the order will attend a reception to the visiting delegates in the Virginia Building.

The order has provided for the exposition a neat and pretty rest room in the Woman's Building overlooking Hampton Roads. It is under the supervision of the Virginia branch, and is for the comfort and pleasure of any one visiting the exposition. Hundreds have already registered there, and the charges in the building in many cases tendered medical assistance.

The order of the King's Daughters and Sons was organized in New York on January 13, 1886, by ten good women for the purpose of the development of the spiritual life and the stimulation of Christian activity. It now numbers its members by the tens of thousands, and its influence is felt throughout the known world. There are 1,400 members in the State of Virginia.

### "HOME-COMING DAY."

Former Students and Teachers of Norfolk Collegiate Institute Have Reunion.

[Special to The Times-Dispatch.]

JAMESTOWN EXPOSITION GROUNDS, VA., July 8.—July 11th has been set aside as "Home-Coming Day" for the reunion of the former students, graduates and teachers of the Norfolk Collegiate Institute and Norfolk College for Young Ladies. The

reunion will be held at the Norfolk Collegiate Institute, which is now being held at the Norfolk Hotel.

A SUMMER APPETIZER.—A teaspoonful of Horford's Acid Phosphate in a glass of water stimulates appetite and quenches thirst.

hours of the reunion will be from 9 A. M. to 10 P. M. An attractive program has been arranged for the occasion.

The local committee of arrangements are: Mrs. Wm. Freeman, Mrs. H. H. Trice, Mrs. H. L. Rogers, Mrs. Frank Hancock, Mrs. L. W. Davis and Mrs. R. W. Brooks.

## CHAZY WORKMEN RUN AMUCK IN WALL STREET

NEW YORK, July 8.—Armed with a hatchet and other weapons, a mob of workmen on a Wall Street building ran amuck among his fellows to-day, fatally injuring one and dangerously wounding two others. He was then attacked by the crowd, which had gathered, and narrowly escaped death.

The workman's name is Milton Albin, a plasterer. His victims are Michael Kelly, who will probably die; Patrick Sullivan and Edward Smith. All were at work on the new building of the Trust Company of America, Albin, without cause, suddenly attacked Sullivan, with whom he had worked for years. After he had beaten him unconscious, he turned upon Kelly, whom he struck with the blade of a hatchet, fracturing the skull. Smith was wounded in attempting to separate Kelly and Albin.

## FIRST ELKS ARRIVE FOR GREAT CONVENTION.

PHILADELPHIA, July 8.—The first of the host of Elks who will be here for the annual convention and reunion, which begins in this city next week, arrived to-day. Colonel John P. Sullivan, of New Orleans, grand marshal, who will be grand marshal of the great parade to be held July 19th, was the first of the officers to reach the city. He is headquarters of the Elks at the Stratford Hotel, and he will be busy all week mapping out the details of the parade. He will assign the participating lodges to their position in line, and will also appoint two-score of aides.

## GEORGIA DEALERS WANT RATE ON SHOES REDUCED.

WASHINGTON, D. C., July 8.—Bass & Heard, of Rome, Ga., to-day complained to the Interstate Commerce Commission that the rates charged by the Southern Railway and other lines of railway doing business with the South were too high on shoes and shoes. They asked that the commission reduce the rates at least 25 per cent.

## Captain Henry Shoots Negro.

[Special to The Times-Dispatch.] SUFFOLK, VA., July 8.—Capt. Henry of the Seaboard Air Line, to-day shot a negro by the name of Rix with a shotgun. The injuries are serious, but it cannot be told whether they will prove fatal. The difficulty occurred over a money transaction.

## Find Mitchell's Body.

[Special to The Times-Dispatch.] SUFFOLK, VA., July 8.—The body of H. Mitchell, a young white man, aged about thirty years, who had been missing for more than a week, was found yesterday near Smithfield. He had been drowned. There was more than \$200 on his person and in his boat.

## EDUCATIONAL ASSOCIATION MEETING IN LOS ANGELES.

LOS ANGELES, CAL., July 8.—The first general session of the National Educational Association here to-day afternoon. President Nathan C. Schaefer, superintendent of public instruction, called the meeting to order. Frank Talmage delivered the invocation.

Rev. Frank J. Burdette, of Pasadena, delivered an address of welcome, which was responded to by W. H. Harris, of Washington, D. C. President Schaefer then delivered his annual address.

## TWO DROWN IN LESS THAN HOUR

Boy Goes to Bottom While Bathing — Man Perishes in Search for Body.

### [Special to The Times-Dispatch.]

FREDERICKSBURG, VA., July 8.—Thomas McCarty was drowned while bathing in the Rappahannock River here with several other boys this evening. He was twelve years old and a son of Lem McCarty. The body has not been found.

James Pettit, aged thirty years, was drowned in the same place less than an hour later while assisting in search for the body of the boy. Pettit was wading, when he suddenly stopped in water over his head. He could not swim, and sank before help could reach him. His body was recovered. He leaves a widow.

## THINKS BRYAN WILL BE NAMED BY PARTY

Representative Jones, of Virginia, Satisfied Nebraska Very Strong.

### BY WALTER EDWARD HARRIS.

WASHINGTON, D. C., July 8.—Representative William A. Jones, of the First Virginia District, is in Washington to-day en route to New York, where he will attend the marriage of a friend.

"It looks to me that Mr. Bryan is the only man who stands any reasonable chance to secure the Democratic nomination to the presidency next year," remarked Mr. Jones, "because he is strong in the house, and if nominated it looks to me that he will stand more than an even chance to win; that is, if there is not a change in conditions."

Mr. Jones appears to be in excellent health. He was far from well when Congress adjourned, and made a trip to Cuba for the benefit of his health. The voyage did him great good. Later he went to Bermuda, and his journey had a most salutary effect also. There has been some talk of Mr. Jones making a trip to Japan, but he does not intend to do so, and the long sea trip have an effect proportionately as good as the short ones, he will have about all the health a normal constitution can stand.

Incidentally, it may be remarked that the opinion of Mr. Jones that Mr. Bryan is the Democratic nominee to the presidency is shared by practically every Democrat who shows up in Washington. This is not saying that all who talk Bryan want Bryan, for the fact is that the majority of the men who occupy any office appointing commanding positions in the Democratic party would prefer some other man. They simply recognize the fact that Mr. Bryan is the overwhelming favorite of the masses.

## SPENT BIRTHDAY ON THE GOLF LINKS

Rockefeller Threw Aside Coat and Followed Players and Crowd.

## IS SIXTY-EIGHT YEARS OLD

Oil Magnate Says He Is Not Young Enough to Take Up the Sport.

[Special to The Times-Dispatch.]

CLEVELAND, O., July 8.—John D. Rockefeller, the Standard Oil magnate, celebrated his sixty-eighth birthday to-day by watching the play for the Olympic Cup on the Euclid Club links. Shedding his coat, rolling up his trousers and jamming his soft straw hat firmly on the back of his head, he was reputed to be the richest in the world, trudged along in the midst of a crowd of golf enthusiasts watching the play of Walter J. Travis and W. C. Fownes. He applauded their good plays, expressed sorrow for their lead shot, and in general enjoyed himself to the full in observing the play of these two crack amateurs. No secret service men accompanied him. Almost unobserved, he joined the gallery following the Travis match at the ninth green and trudged along with them over the last nine holes. He was particularly interested in the playing of Walter Travis.

"Why don't you play in the tournaments?" asked a newspaper man.

"Oh, I am getting too old, my boy, getting too old," said Mr. Rockefeller.

"It's too much of a nervous strain."

"Well, Mr. Travis took up the game pretty late in life," commented the newspaper man.

"Yes, that's true," said Mr. Rockefeller, and then added: "That's an argument in favor of us veterans, but he is not so much of a nervous strain."

Then he peeled off his coat and followed along.

## IMPROVEMENT IN QUALITY OF MILK

Interesting Data in Monthly Report of Dairy Inspector Curtis.

Dairy Inspector Curtis, of the city Health Department, submitted his report for the month of June yesterday, the paper showing a marked improvement in the character of the milk furnished by the great majority of the dairies.

Thirty-nine separate dairy farms, most of them lying within a radius of five miles of the city and others farther out, have been visited, ninety-four trips of inspection having been made. Records have been kept in accordance with the scheme furnished by the United States Department of Agriculture. The work in June was largely confined to the smaller milk-producing farms around the city, the larger ones having been carefully inspected early in the spring. Those visited in June supply about 2,000 gallons of milk daily to the city. During the month seven new milkhouses were built by order of the department, and twenty are now in course of construction. Two new cowhouses were built and three are now under way.

Ten permits were suspended in places that did not comply with the requirements of the Health Department, after fifteen days' notice. Seven permits were revoked because the owners were unable or unwilling to comply. Three suspended dairymen have continued, in defiance of the ordinance, to sell milk in the city, and they have been summoned to explain the matter in the Police Court. A regular bacteriological examination of milk in 109 examinations showed eighty-six per cent. up to the standard. Some few were very bad, and further examination will be made of these dairies.

Twenty thousand circulars on the care of the milk in the house are in course of preparation, and will be distributed to the milk-takers next week. "They should be read and studied by all users of milk, which include practically the whole population of the city," said Dr. Levy, chief health officer, yesterday.

Most of the dairymen are responding cheerfully to the department's request, and the few obstinate ones will have an opportunity to test the health ordinances in court.

## TO CURB LIQUOR TRAFFIC IN CITY

Attack on Saloons. Mayor McCarthy and Councilman W. L. White to use only orators, all the other speakers engaging merely in informal conversational discussion.

The Mayor made a vigorous attack on the liquor business as at present conducted in this city. He referred to the love drives and the mischief and crime they breed, and declared that it is the duty of Councilmen to make laws and have them executed in the way of regulating this criminal business.

"It is as much the duty of the authorities to act promptly in this matter as it is to act against murder, burglary or any other crime," said the Mayor.

Mr. White replied and said that though he would go as far as any man in trying to regulate the traffic, he intended to be just, and he objected to the strictures of the Mayor. He thought the Mayor was judging every man who sells liquor in the city by the standard of the worst men engaged in the business, and this, he declared, was unfair and unjust.

Mr. White asserted that good citizens, who are as far from violating laws as any person in town, are engaged in the liquor business, and to judge them by the worst element, the "dive men," and then pass harsh laws against them, would be

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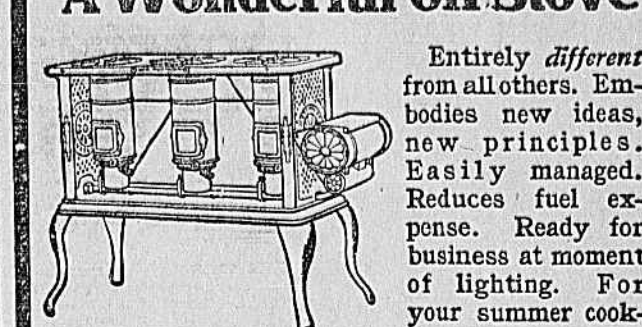
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## A Wonderful Oil Stove



## NEW PERFECTION Wick Blue Flame Oil Cook-Stove

Its heat is highly concentrated. Does not overheat the kitchen. Oil always at a maintained level. Three sizes. Fully warranted. It not at your dealer's, write our nearest agency for descriptive circular.

THE Rayo Lamp is the best round household use. Made of brass throughout and beautifully nickel-plated. Perfectly constructed; absolutely safe; unexcelled in light-giving power; an ornament to any room. Every lamp warranted. If not at your dealer's, write to our nearest agency.

STANDARD OIL COMPANY (INCORPORATED)

Class legislation, which he would always oppose.

It was agreed that a subcommittee from the Board of Commissioners should be appointed to confer further with the subcommittee from the Ordinance Committee. They will get together next week and formulate something definite in the way of recommendations.

### Pitcher Hobbs Now at Work.

Pitcher Hobbs, who was bought from Montreal by the Standard Oil Company, arrived in the city yesterday morning, and is stopping at the Allen Hotel. He wired Manager Reed, and as he reached here, was told to practice three hours a day until the return of the team, when he will start active work.

### OBITUARY.

James M. Booker.

Mr. James M. Booker died at the residence of his son-in-law, Mr. B. A. Franklin, No. 11 West Main Street, at 10:30